P.004/005

T-371

From-HYSEQ INC

Ghosh, et al. **U.S. Application No. 10/005,499**

<u>REMARKS</u>

Upon entry of the foregoing amendments, claims 1-7 are under consideration and pending in the application.

In response to the May 6, 2003 Restriction Requirement, Applicants elect without traverse Group II directed to polypeptides and elect SEQ ID NO: 378. Applicants make this election without prejudice to pursuing non-elected subject matter in later applications. Support for the amendment to claim 5 is found in the specification at least in the originally filed claim 5. Support for newly added claim 8 can be found at least at page 5, lines 28-32 of the specification. Support of newly added claim 9 can be found at least at page 5, lines 28-32 and page 69, lines 13-15 of the specification. Support for newly added claim 10 can be found at least at page 5, lines 32-34 through page 6, lines 1-3 and at page 76, lines 3-6 of the specification. Support for newly added claim 11 can be found at least at page 128, lines 10-16 of the specification. In addition, no change in inventorship under 37 C.F.R. §1.48(b) is merited by electing Group II under 37 C.F.R. §1.121 and as such, no request under 37 C.F.R. §1.48(b) or fee under 37 C.F.R. §1.17(i) are submitted.

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CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance, and a Notice of Allowance is respectfully requested as soon as possible. If there are any questions regarding these amendments and remarks, or if further discussion would expedite allowance of the claims, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

Date: May 19, 2003

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